

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed Emergency After Notice

Rulemaking related to deer hunting

The Natural Resource Commission (Commission) hereby amends Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.39 and 481A.48.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 481A.38, 481A.39 and 481A.48.

Purpose and Summary

Chapter 106 governs deer hunting by residents in the state of Iowa. This chapter regulates deer hunting and sets forth season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

This rulemaking adopts three amendments to Chapter 106. First, two counties are added and two counties are removed from the list of counties available for general deer licenses.

Second, Lucas County is added to the list of counties eligible to participate in the population management January antlerless-deer-only season.

Third, antlerless-deer-only county quotas are modified to increase harvest in southern Iowa, where the wild herd is above population goals, and also in north central Iowa, where wild herds have recovered to a level that can sustain additional antlerless harvest. Conversely, quotas are modified in far western Iowa to decrease harvest where populations are below goals and hunter effort is waning.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on April 5, 2023, as **ARC 6977C**. A public hearing was held on April 25, 2023, at 12 noon via video/conference call. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)“b”(1)(b), the Commission finds that the normal effective date of this rulemaking, 35 days after publication, should be waived and the rulemaking made effective on July 17, 2023, because this rulemaking confers a benefit to and removes a restriction on sportsmen and -women hunting in this state by making quota changes that create more and different deer hunting opportunities.

Adoption of Rulemaking

This rulemaking was adopted by the Commission on July 13, 2023.

Fiscal Impact

This rulemaking has no negative fiscal impact to the State of Iowa. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking became effective on July 17, 2023.

The following rulemaking action is adopted:

ITEM 1. Amend paragraph **106.1(1)“a”** as follows:

a. General deer licenses. General deer licenses shall be valid for taking deer in one season selected at the time the license is purchased. General deer licenses shall be valid for taking deer of either sex except in Buena Vista, Calhoun, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, and Sioux, and Woodbury Counties during the first regular gun season when the general deer license will be valid for taking deer with at least one forked antler. Paid general deer licenses shall be valid statewide except where prohibited in deer population management zones established under 571—Chapter 105. Free general deer licenses shall be valid for taking deer of either sex only on the farm unit of an eligible landowner or tenant in the season or seasons selected at the time the license is obtained.

ITEM 2. Amend paragraph **106.1(6)“a”** as follows:

a. Population management season. Licenses for the population management January antlerless-deer-only season may be issued for the following counties: Allamakee, Appanoose, Decatur, Lucas, Monroe, Wayne, and Winneshiek. Population management January antlerless-deer-only licenses shall be issued for a county only when a minimum of 100 antlerless-deer-only licenses, as described in subrule 106.6(6), remain unsold in that county as of the third Monday in December. If 100 or more antlerless-deer-only licenses remain unsold for a given county as of the third Monday in December, those remaining antlerless-deer-only licenses shall be made available for the population management January antlerless-deer-only season in that county until the relevant antlerless-deer-only quota as described in subrule 106.6(6) is met.

ITEM 3. Amend subrule 106.6(6) as follows:

106.6(6) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1200	Floyd	150	Monona	500 <u>250</u>
Adams	1000	Franklin	0 <u>100</u>	Monroe	2500
Allamakee	3800	Fremont	0	Montgomery	500 <u>300</u>
Appanoose	2700 <u>2800</u>	Greene	100	Muscatine	900
Audubon	0	Grundy	0	O'Brien	0
Benton	325	Guthrie	2350	Osceola	0
Black Hawk	0	Hamilton	0 <u>100</u>	Page	300 <u>150</u>
Boone	400 <u>500</u>	Hancock	0 <u>100</u>	Palo Alto	0
Bremer	300	Hardin	0 <u>100</u>	Plymouth	0
Buchanan	400	Harrison	500 <u>250</u>	Pocahontas	0
Buena Vista	0	Henry	1050	Polk	1350
Butler	200	Howard	450	Pottawattamie	500 <u>250</u>
Calhoun	0	Humboldt	0	Poweshiek	200
Carroll	0	Ida	0	Ringgold	1600
Cass	300 <u>200</u>	Iowa	450	Sac	0
Cedar	775	Jackson	1100	Scott	200
Cerro Gordo	0 <u>100</u>	Jasper	400	Shelby	0
Cherokee	0	Jefferson	1500	Sioux	0
Chickasaw	375	Johnson	950	Story	150
Clarke	2400	Jones	1100	Tama	300
Clay	0	Keokuk	500	Taylor	1500
Clayton	4000	Kossuth	0	Union	1400
Clinton	400	Lee	1700 <u>1800</u>	Van Buren	2300 <u>2400</u>
Crawford	0	Linn	850	Wapello	1600
Dallas	2100 <u>1900</u>	Louisa	775	Warren	3000
Davis	1900 <u>2000</u>	Lucas	2500	Washington	1000 <u>1200</u>
Decatur	2400 <u>2500</u>	Lyon	0	Wayne	2700
Delaware	950 <u>1100</u>	Madison	3300	Webster	0 <u>100</u>
Des Moines	900 <u>1000</u>	Mahaska	475	Winnebago	0
Dickinson	0	Marion	2050	Winneshiek	2700
Dubuque	1200	Marshall	150	Woodbury	0
Emmet	0	Mills	150 <u>0</u>	Worth	0
Fayette	2500	Mitchell	100	Wright	0 <u>100</u>

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